



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/508,942	10/01/2004	Mi-Sun Sung	MUHAN1.001APC	7555
20995 7590 05/06/2008 KNOBBE MARTENS OLSON & BEAR LLP 2040 MAIN STREET FOURTEENTH FLOOR IRVINE, CA 92614				
EXAMINER ZIEGLE, STEPHANIE M				
ART UNIT 4143		PAPER NUMBER		
NOTIFICATION DATE 05/06/2008		DELIVERY MODE ELECTRONIC		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

jcartee@kmob.com
eOAPilot@kmob.com

Office Action Summary

Application No.

10/508,942

Applicant(s)

SUNG, MI-SUN

Examiner

STEPHANIE ZIEGLE

Art Unit

4143

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 February 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 February 2008 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/5508)
Paper No(s)/Mail Date _____

- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Status of Claims

1. This action is in reply to the response filed on 25 February 2008.
2. Claims 1-13 have been amended.
3. Claims 14-17 have been added.
4. Claims 1-17 are currently pending and have been examined.
5. The rejections of claims 1-17 have been updated to reflect the amendments.

Previous Drawing Objections

6. The drawings were previously objected to for not including reference numbers that were mentioned in the description. The examiner thanks the applicant for correcting this minor flaw and hereby rescinds the objection.

Previous Specification Objections

7. The abstract was previously objected to for containing the self-evident clause, "Disclosed are...". The examiner thanks the applicant for correcting this minor flaw and hereby rescinds the objection.

Response to Arguments

8. Applicant's arguments with respect to claims 1-13 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

10. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

11. Claims 1, 3-6 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Loeb et al. (US 6,006,205), hereinafter Loeb, in view of Albrecht (US 6,182,895) in further view of Van Dusen (US 6,175,823).

Claim 1:

Loeb, as shown, discloses the following limitation:

- o receiving, by a financial institution, information identifying a financial account of the financial institution. [See at least Figure 9 item number 920 and related text].

Loeb does not disclose the following. Albrecht, however, does disclose:

- o wherein the financial account has a predetermined limit; [See at least column 3 lines 1-5: The gift credit card is linked only to the secondary account and may only be used to purchase goods and services up to the limit of the secondary account, which was determined by the authorization of the purchaser.]

It would have been obvious to one skilled in the art at the time of the invention to combine the receiving of information of Loeb with the predetermined limit of Albrecht because the customer can effectively spend the money allotted on items of their choosing (Albrecht column 1 lines 22-24). The combination of Loeb and Albrecht does not disclose the following limitations. Van Dusen, however, does disclose:

- o receiving, by the financial institution a request for increasing the limit of the financial account based on a gift certificate which has a monetary value; [See at least Figure 2 item number 30 and related text]
- o increasing, by the financial institution, the limit of the financial account by the monetary value by the financial institution. [See at least Figure 3 item number 40 and related text.]

It would have been obvious to one skilled in the art at the time of the invention to combine the receiving of information and the predetermined limit of Loeb and Albrecht with the request for and subsequent increasing of the limit of the account of Van Dusen because it provides a more efficient and reliable way to redeem the gift certificate (Van Dusen column 1 lines 48-50).

Claim 3:

The combination of Loeb, Albrecht, and Van Dusen discloses all of the limitations of claim 1. Albrecht also discloses the following limitation:

- o the information identifying the financial account comprises a credit card number information of the credit card user. [See at least figure 5A item number 408, related text, and column 5 lines 53-56: Such cards may include identifying information data such as the authorized user's name, the name of the purchaser, and possibly the purchaser's account number and an expiration date.].

It would have been obvious to one skilled in the art at the time of the invention to combine the receiving of information, the predetermined limit, and the increasing of the limit of Loeb, Albrecht, and Van Dusen with the credit card number of Albrecht because it makes it quick and convenient for both the user and a merchant to identify the account number for use in transactions.

Claim 4:

The combination of Loeb, Albrecht, and Van Dusen discloses all of the limitations of claim 1. Loeb also discloses the following limitation:

- o the step of determining whether the financial account is valid. [See at least column 11 lines 38-41: A test is then performed during step 1130 by the credit card issuer 40 to determine if the credit card number is valid and if the purchase amount is within the available credit limit associated with indicated account.].

Claim 5:

The combination of Loeb, Albrecht, and Van Dusen discloses all of the limitations of claim 1. Loeb also discloses the following limitations:

- o *receiving, by the financial institution, information specifying a purchase transaction associated with the financial account, wherein the information specifying the purchase transaction comprises a transaction amount;* [See at least Figure 9 item numbers 910, and 920 and related text].
- o determining, by the financial institution, whether the transaction amount is approvable in view of the increased limit. [See at least Figure 9 item numbers 910, 920, and 930 and related text].

Art Unit: 4143

Claim 6:

The combination of Loeb, Albrecht, and Van Dusen discloses all of the limitations of claim 1.

Loeb also discloses the following limitations:

- *the financial account comprises a credit card account or a bank account.* [See at least column 6 lines 66-67: credit limit associated with each credit card account.]

Claim 14:

The combination of Loeb, Albrecht, and Van Dusen discloses all of the limitations of claim 1.

Loeb also discloses the following limitations:

- *the predetermined limit comprises a credit limit assigned to the financial account.* [See at least Figure 4 item number 440 and related text].

12. Claims 7-8 and 15-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Loeb, Albrecht, Van Dusen in further view of Official Notice.

Claim 7:

The combination of Loeb, Albrecht, and Van Dusen discloses all of the limitations of claim 1.

Loeb also discloses the following limitations:

- *receiving, by the financial institution, information specifying a purchase transaction associated with the financial account, wherein the information specifying the purchase transaction comprises a transaction amount;* [See at least Figure 9 item numbers 910, and 920 and related text].
- *sending, to a point of the purchase transaction, an approval of payment of the transaction amount from the financial account;* [See at least Figure 9 item number 930 and related text].

The combination of Loeb, Albrecht, and Van Dusen does not disclose when the payment uses the increased portion of the increased limit, further sending, to the point of purchase transaction, information specifying that the payment of the purchase transaction has used the increased portion of the increased limit so that such sent information can be printed on a receipt of the purchase transaction. However, the Examiner takes **Official Notice** that it is old and well known in the transaction arts to print an updated balance on the transaction receipt. It would have been obvious to one skilled in the art at the time of the invention to combine the receiving of information, the predetermined limit, and the increasing of the limit of Loeb, Albrecht, and Van Dusen with the notification of the updated balance because it makes it simple and easy for a recipient to know when a gift has been made to them and to be fully aware of their new balance.

Claim 8:

The combination of Loeb, Albrecht, and Van Dusen discloses all of the limitations of claim 1. Loeb also discloses the following limitations:

- receiving, by the financial institution, information specifying a purchase transaction associated with the financial account, wherein the information specifying the purchase transaction comprises a transaction amount; [See at least Figure 9 item numbers 910, and 920 and related text].
- sending, to a point of the purchase transaction, an approval of payment of the transaction amount from the financial account; [See at least Figure 9 item number 930 and related text].

The combination of Loeb, Albrecht, and Van Dusen does not disclose further sending, to the point of the purchase transaction, information specifying that the financial account has the increased limit so that such sent information can be printed on a receipt of the purchase transaction. However, the Examiner takes **Official Notice** that it is old and well known in the

transaction arts to print an updated balance on the transaction receipt. It would have been obvious to one skilled in the art at the time of the invention to combine the receiving of information, the predetermined limit, and the increasing of the limit of Loeb, Albrecht, and Van Dusen with the notification of the updated balance because it makes it simple and easy for a recipient to know when a gift has been made to them and to be fully aware of their new balance.

Claim 15:

The combination of Loeb, Albrecht, and Van Dusen discloses all of the limitations of claim 1. The combination of Loeb, Albrecht, and Van Dusen does not disclose *the predetermined limit comprises available credit on the financial account*. However, the Examiner takes **Official Notice** that it is old and well known in the banking arts to have the spending limit of a credit card to be equal to the available credit. It would have been obvious to one skilled in the art at the time of the invention to combine the receiving of information, the predetermined limit, and the increasing of the limit of Loeb, Albrecht, and Van Dusen with the available credit spending limit because it allows the customer to spend only what they can afford and to overdraw their account.

Claim 16:

The combination of Loeb, Albrecht, Van Dusen, and Official Notice discloses all of the limitations of claim 15. Van Dusen also discloses the following limitation:

- o *wherein increasing the limit of the financial account comprises adding a credit to the financial account, the credit corresponding in amount to the monetary value.* [See at least Figure 3 item number 40 and related text.]

It would have been obvious to one skilled in the art at the time of the invention to combine the receiving of information, the predetermined limit, the increasing of the limit, and the available credit of Loeb, Albrecht, and Van Dusen with the addition of the credit because it allows the

recipient to easily have access to the money provided by the gift certificate and have the ability to use that money whenever is most convenient to them.

13. Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over Loeb, Albrecht, Van Dusen in further view of Attention Kmart Shoppers by Jeremy Quittner, hereinafter Quittner.

Claim 17:

The combination of Loeb, Albrecht, and Van Dusen discloses all of the limitations of claim 1.

The combination of Loeb, Albrecht, and Van Dusen does not disclose the following limitation.

Quittner, however, does disclose:

- o *the gift certificate is selected from the group consisting of a paper gift certificate and a plastic gift card. [See at least page 1 paragraph 1: Kmart shoppers can now purchase plastic gift certificates rather than paper ones.]*

It would have been obvious to one skilled in the art at the time of the invention to combine the receiving of information, the predetermined limit, the increasing of the limit, and the available credit of Loeb, Albrecht, and Van Dusen with the paper/plastic gift certificates because it "simplifies transactions at the point of sale and conserves all of the value of the transaction (Quittner paragraph 8 lines 2-3)."

14. Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Van Dusen.

Claim 10:

Van Dusen, as shown, discloses the following limitations:

- o *an input module configured to receive information identifying a financial account of the financial institution, wherein the financial account has a predetermined limit, and further to receive a request for increasing the limit of the financial account based on a gift*

Art Unit: 4143

certificate which has a monetary value; [See at least figure 4 item numbers 54, 64, and 66 and related text].

- *an account processing module configured to increase the limit of the financial account by the monetary value in response to the request.* [See at least Figure 4 item number 72 and related text].

Van Dusen doesn't specifically disclose the individual modules for performing these steps. However, it would have been obvious to one skilled in the art at the time of the invention to modify the larger system of Van Dusen to include the individual modules because it would make the system as a whole run more efficiently.

15. Claims 2 and 11-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Van Dusen in view of Loeb.

Claim 2:

Van Dusen, as shown, discloses the following limitations:

- *wherein the financial account has a balance*; [See at least the abstract: recipient's account balance].
- *receiving, by the financial institution, a request for increasing the balance of the financial account based on a gift certificate which has a monetary value*; [See at least Figure 2 item number 30 and related text]
- *adding, by the financial institution the monetary value of the gift certificate to the balance of the financial account by the financial institution.* [See at least Figure 3 item number 40 and related text.]

Van Dusen does not disclose the following limitation. Loeb, however, does disclose:

- *receiving, by a financial institution, information identifying a financial account of the financial institution.* [See at least Figure 9 item number 920 and related text]

It would have been obvious to one skilled in the art at the time of the invention to combine the account balance and the request and subsequent increase of the balance of Van Dusen with the identifying information of Loeb because allows the credit card company to easily and quickly charge the correct account for the transaction.

Claim 11:

Van Dusen, as shown in the rejection above, discloses all of the limitations of claim 10. Van Dusen does not disclose the following limitation. Loeb, however, does disclose:

- o *the information identifying the financial account comprises a credit card number. [See at least Figure 9 item numbers 910, and 920 and related text].*

It would have been obvious to one skilled in the art at the time of the invention to combine the account balance and the request and subsequent increase of the balance of Van Dusen with the credit card number of Loeb because allows the credit card company to easily locate and charge the correct account for the transaction.

Claim 12:

Van Dusen, as shown in the rejection above, discloses all of the limitations of claim 10. Van Dusen does not disclose the following limitation. Loeb, however, does disclose:

- o *a transaction module configured to receive information specifying a purchase transaction associated with the financial account, wherein the information specifying the purchase transaction comprises a transaction amount; wherein the transaction module is further configured to determine whether the transaction amount is approvable in view of the increased limit. [See at least figure 2 and related text].*

It would have been obvious to one skilled in the art at the time of the invention to combine the account balance and the request and subsequent increase of the balance of Van Dusen with the transaction module of Loeb because it allows the credit card company to easily and quickly provide a authorization for a transaction amount to the merchant.

Art Unit: 4143

Claim 13:

Van Dusen, as shown in the rejection above, discloses all of the limitations of claim 10. Van Dusen does not disclose the following limitation. Loeb, however, does disclose:

- o *the financial account comprises a credit card account or a bank account.* [See at least column 6 lines 66-67: credit limit associated with each credit card account.]

It would have been obvious to one skilled in the art at the time of the invention to combine the account balance and the request and subsequent increase of the balance of Van Dusen with the credit card account of Loeb because it easily allows the recipient to redeem the gift certificate to a pre-existing account.

16. Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Van Dusen, Loeb in further view of Official Notice.

Claim 9:

The combination of Van Dusen and Loeb disclose all of the limitations of claim 2. The combination of Van Dusen and Loeb does not disclose *the financial account comprises a bank account or a virtual account*. However, the Examiner takes **Official Notice** that it is old and well known in the financial arts that a financial account can include a bank account. It would have been obvious to one skilled in the art at the time of the invention to combine the account balance and the request and subsequent increase of the balance and the receiving of information of Van Dusen and Loeb with the bank account because it easily allows the recipient to redeem the gift certificate to a pre-existing account.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry of a general nature or relating to the status of this application or concerning this communication or earlier communications from the Examiner should be directed to **Stephanie M. Ziegler** whose telephone number is **571.272.4417**. The Examiner can normally be reached on Monday-Friday, 6:30am-4:00pm. If attempts to reach the examiner by telephone are unsuccessful, the Examiner's supervisor, **JAMES A. REAGAN** can be reached at **571.272.6710**.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://portal.uspto.gov/external/portal/pair> <<http://pair-direct.uspto.gov>>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at **866.217.9197** (toll-free).

Art Unit: 4143

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to **571-273-8300**.

Hand delivered responses should be brought to the **United States Patent and Trademark Office Customer Service Window**:

Randolph Building

401 Dulany Street

Alexandria, VA 22314.

/Stephanie Ziegler/ Examiner, Art Unit 4143

01 May 2008

/James A. Reagan/

Supervisory Patent Examiner, Art Unit 4143